

PATENT

Attorney Docket No. 8021-188 (SS-18085-US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kim et al. Group Art Unit: 2651  
Serial No: 10/706,819 Docket: 8021-188 (SS-18085-US)  
Filed: November 12, 2003  
For: **APPARATUS AND METHOD FOR DETECTING OPTICAL DISC  
TYPE AND/OR ADJUSTING TRACK BALANCE**

Mail Stop 16  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR REFUND**  
(Improper Charge of Deposit Account)

**I. REFUND REQUEST**


This is a request for a refund with respect to the charge to Deposit Account No. 50-0679 for the above-identified application.

**CERTIFICATION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop 16, Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 on September 29, 2005.

Dated: September 29, 2005

Frank Chau  
(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

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II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	\$ _____
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))	_____
and/or	
<input checked="" type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))	\$ <u>130.00</u>
<input type="checkbox"/> extension of term	_____
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	\$ _____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> other: _____	\$ _____
	_____
<b>TOTAL REFUND REQUESTED</b>	<b>\$ <u>130.00</u></b>

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### III. EXPLANATION OF WHY CONTESTED CHARGES ARE IN ERROR

On November 29, 2004, a \$130.00 charge was charged to deposit account no. 50-0679. The \$130.00 charge was coded 1051, surcharge for late filing fee or oath or declaration. The above charge was charged to deposit account no. 50-0679 without authorization from the applicant and the charge is contested.

On November 12, 2003, applicant filed a non-provisional patent application with the U.S. Patent and Trademark Office. The charges to the deposit account were based on a surcharge - late filing fee or oath declaration. Prima facie evidence (under MPEP § 503) of the receipt of the Declaration and Power of Attorney by the U.S. Patent and Trademark Office is provided in a return postcard date-stamped November 19, 2003, which is attached hereto.

Therefore, Applicant believes that charge of \$130.00 was mistakenly charged.

Applicant respectfully request that a refund for said amount be granted.

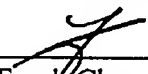
### IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Deposit Account No. 50-0679
- ☐ refunding payment.

Respectfully requested,

F. CHAU & ASSOCIATES, LLC

By:   
Frank Chau  
Reg. No. 34,136  
Attorney for Applicant

F. Chau & Associates, LLC  
130 Woodbury Road  
Woodbury, New York 11797  
Tel: (516) 692-8888  
Fax: (516) 692-8889  
FC:mel

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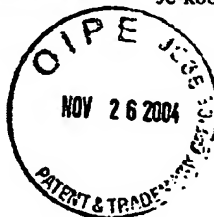


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/706,819	11/12/2003	Je-koonk Kim	8021-188 (US-18085-US)

Frank Chau, Esq.  
 F. CHAU & ASSOCIATES, LLP  
 1900 Hempstead Turnpike  
 East Meadow, NY 11554



CONFIRMATION NO. 6942

## FORMALITIES LETTER



\*OC000000013840979\*

11/29/2004 SSESHE1 00000017 500679 10706819

01 FC:1201 2.00 DA 86.00 OP  
 02 FC:1051 130.00 DA

Date Mailed: 09/20/2004

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The specification, claims or abstract page(s) 16, 19 & 20 contain improper margins  
*Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$86 for a Large Entity

- Total additional claim fee(s) for this application is \$86
  - \$86 for 9 independent claims over 3.

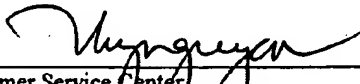
Replies should be mailed to: Mail Stop Missing Parts

Adjustment date: 11/21/2005 SDIRETA1  
 11/29/2004 SSESHE1 00000017 500679 10706819  
 02 FC:1051 130.00 CR

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Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in dark ink, appearing to read "M. Nguyen", is written over a horizontal line.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE